

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

JONATHAN WILLIAM MIKULA,
CHRISTIAN FERNANDEZ, AMIT
RAJ BERI, SWAY ENERGY
CORPORATION, AVTAR SINGH
DHILLION, EMERALD HEALTH
PHARMACEUTICALS INC., and
JAMES M. DEMESA

Defendants.

Case No. 2:22-cv-07096-SB-PLA

**FINAL JUDGMENT AS TO AVTAR
SINGH DHILLION**

1 The Securities and Exchange Commission having filed a Complaint and
2 Defendant Avtar Singh Dhillon having entered a general appearance; consented to the
3 Court's jurisdiction over Defendant and the subject matter of this action; consented to
4 entry of this Final Judgment; waived findings of fact and conclusions of law; and
5 waived any right to appeal from this Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the “Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security:

- (a) to employ any device, scheme, or artifice to defraud;
 - (b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or
 - (c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

III.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating Section 17(a) of the Securities

1 Act of 1933 (the “Securities Act”) [15 U.S.C. § 77q(a)] in the offer or sale of any
2 security by the use of any means or instruments of transportation or communication
3 in interstate commerce or by use of the mails, directly or indirectly:

- 4 (a) to employ any device, scheme, or artifice to defraud;
- 5 (b) to obtain money or property by means of any untrue statement of a
material fact or any omission of a material fact necessary in order to make the
statements made, in light of the circumstances under which they were made,
not misleading; or
- 9 (c) to engage in any transaction, practice, or course of business which
10 operates or would operate as a fraud or deceit upon the purchaser.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as
12 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also
13 binds the following who receive actual notice of this Final Judgment by personal
14 service or otherwise: (a) Defendant’s officers, agents, servants, employees, and
15 attorneys; and (b) other persons in active concert or participation with Defendant or
16 with anyone described in (a).

17 **III.**

18 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is
19 permanently restrained and enjoined from violating Section 17(b) of the Securities
20 Act [15 U.S.C. § 77q(b)] by the use of any means or instruments of transportation or
21 communication in interstate commerce or by the use of the mails, to publish, give
22 publicity to, or circulate any notice, circular, advertisement, newspaper, article, letter,
23 investment service, or communication which, though not purporting to offer a
24 security for sale, describes such security for a consideration received or to be
25 received, directly or indirectly, from an issuer, underwriter, or dealer, without fully
26 disclosing the receipt, whether past or prospective, of such consideration in the
27 amount thereof.

28 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as

1 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also
2 binds the following who receive actual notice of this Final Judgment by personal
3 service or otherwise: (a) Defendant's officers, agents, servants, employees, and
4 attorneys; and (b) other persons in active concert or participation with Defendant or
5 with anyone described in (a).

6 **IV.**

7 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that, pursuant to
8 Section 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)] and Section 20(e) of
9 the Securities Act [15 U.S.C. § 77t(e)], Defendant is prohibited from acting as an
10 officer or director of any issuer that has a class of securities registered pursuant to
11 Section 12 of the Exchange Act [15 U.S.C. § 78l] or that is required to file reports
12 pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)].

13 **V.**

14 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that this Court
15 shall retain jurisdiction of this matter for the purposes of enforcing the terms of this
16 Final Judgment.

17 **VI.**

18 There being no just reason for delay, pursuant to Rule 54(b) of the Federal
19 Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment forthwith
20 and without further notice.

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22 Dated: October 20, 2022

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25 Stanley Blumenfeld, Jr.
26 United States District Judge
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